

Minutes of Sub-Committee of the Licensing Committee

Meeting Date: Monday, 11 July 2022, starting at 11.00 am
Present: Councillor S Brunskill (Chair)

Councillors:

S Hore S O'Rourke

In attendance: Solicitor, 2 Part-Time Licensing Officers (Alcohol & Entertainment)

Also in attendance: Kellie Hughes (Director of Tapas Forty Seven Limited), Danielle Roberts (Director of Tapas Forty Seven Limited), John Threlfall (Whalley Parish Council)

176 WELCOME

177 APOLOGIES AND RE-CONSTITUTION OF THE COMMITTEE MEMBERSHIP

There were no apologies.

178 DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS

There were no declarations of disclosable pecuniary, or other registrable and non-registrable interests.

179 PREMISES LICENCE APPLICATION - EVENT SPACE, GISBURNE PARK ESTATE - WITHDRAWN PRIOR TO HEARING

The Premises Licence Application in respect of the Event Space at Gisburne Park Estate, which had been listed for consideration by the Sub-Committee, had been the subject of negotiation between the applicant and other parties who had made representations, resulting in agreement between the parties and the consequential withdrawal of the representations, enabling the licence to be granted on agreed terms and the removal of the application from the agenda for the meeting.

180 PREMISES LICENCE APPLICATION - TAPAS FORTY SEVEN, WHALLEY

The Sub-Committee met to consider the application of Tapas Forty Seven Limited for a premises licence in respect of Tapas Forty Seven, 47 King Street, Whalley, Clitheroe, BB7 9SP.

The Sub-Committee considered the contents of the report of the Head of Legal and Democratic Services dated 11 July 2022 and its appendices ("Report").

The solicitor explained the application and drew specific attention to the Cumulative Impact Assessment (CIA) for Whalley and Painter Wood, as contained in the Council's Statement of Licensing Policy 2021-2026 and as contained in part 2 of the CIA 2022-2025. The Sub-Committee were reminded of the written representations received, where two of the individuals who had made representations were not able to attend the meeting.

The Directors of the Applicant made verbal representations to the Sub-Committee and explained that they were seeking to open a high-end dining establishment, which was family orientated. Final orders for food would be taken at 20.30 hours and for drinks at 21.15 hours. They anticipated that 85% of customers would have booked in advance. All customers would be seated – customers would not be allowed to stand at the bar to consume alcohol. No customers would be allowed into the premises

purely for the purpose of drinking – all customers would be dining customers. They anticipated that the premises would accommodate approximately 25 to 30 covers. The Directors of the applicant responded to questions confirming plans for disabled facilities, soundproofing, CCTV, and the types of alcohol they would offer. They also confirmed that they would agree to additional conditions requiring; the frontage of the premises to be tidied after closing time, no bottle sorting and disposal between 22.00 hours and 08.00 hours, and restricting the supply of alcohol only to customers who were dining at the premises.

The representative for the Parish Council reiterated the terms of the CIA, and advised the sub-committee that the Parish Council did not hold a meeting without Anti-social behaviour coming up as an issue. The Parish Council were of the view that “enough is enough” and raised concern about where customers would go when the premises close, albeit that this was up to 10:00 hours. Attention was drawn to the other two written representations contained in the report, as well as the ongoing problems reported by residents in the Queen Street and Accrington Road area.

The Licensing Sub-Committee gave careful consideration to the representations made by all parties, both verbal and written. The Sub-Committee also considered the requirements of the Licensing Act 2003, the Statutory Guidance, the licensing objectives, the relevant regulations, the Council's licensing policy, and the CIA.

Having considered all of the above the Sub-Committee resolved to grant the Applicant's application for a premises licence as applied for (and clarified at the hearing), subject to additional conditions as considered at the hearing and in correspondence with the police and the Council's licensing enforcement officer and subject to an earlier terminal time for the sale of alcohol. Members were mindful of the steps being taken to promote the licensing objectives to address concerns about the operation of premises which could have been open later had there not been a premises licence in place for the hours requested.

Having taken all matters into account, the Sub-Committee were satisfied in the particular circumstances that the applicant had discharged the burden in the Statement of Licensing Policy and had demonstrated how the application would not undermine the licensing objectives.

RESOLVED:

That the licence be granted, subject to variation of the final time for the supply of alcohol being varied to 21.30 hours, and to imposition of conditions which had been agreed with the police and licensing enforcement officer and additional conditions agreed at the meeting.

The Sub-Committee decision is available at <https://www.ribblevalley.gov.uk/downloads/file/3170/tapas-forty-seven-whalley>.

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EXCLUSION OF PRESS AND PUBLIC

There were no items under this heading.

The meeting closed at 11.25 am

If you have any queries on these minutes please contact the committee clerk, Rebecca Tait Rebecca.Tait@ribblevalley.gov.uk.